

**9-607. Notice of appeal.**

*[For use with Magistrate Court Rule 6-703 NMRA,  
Metropolitan Court Rule 7-703 NMRA and  
Municipal Court Rule 8-703 NMRA]*

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

District Court No. \_\_\_\_\_

[Magistrate] [Metropolitan] [Municipal] No. \_\_\_\_\_

**NOTICE OF APPEAL**

[Defendant] [The state] [The City of \_\_\_\_\_] appeals to the district court from the  
[judgment] [final order] of the [magistrate] [metropolitan] [municipal] court entered in the above  
cause on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

The [defendant] [state] [city] requests a trial setting within six months from the date of filing  
of this notice of appeal.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name (*print*)

\_\_\_\_\_  
Address (*print*)

\_\_\_\_\_  
City, state and zip code (*print*)

\_\_\_\_\_  
Telephone number

***(The following is to be completed  
prior to filing with the clerk of  
the district court. Proof of  
service is required for each party.)***

### **CERTIFICATE OF SERVICE BY ATTORNEY**

I certify that I caused a copy of this notice of appeal to be served on the following persons  
or entities by [delivery] [mail] on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_:

(1) \_\_\_\_\_  
(*Name of party*)

\_\_\_\_\_  
(*Address*)

(2) \_\_\_\_\_  
(*Name of party*)

\_\_\_\_\_  
(*Address*)

\_\_\_\_\_

Attorney for appellant

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of signature

**AFFIDAVIT OF SERVICE OF A PARTY**

*(To be completed by a party who is not represented by an attorney)*

I declare under penalty of perjury that a copy of this notice of appeal was served on the following persons or entities by [delivery] [mail] on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_:

(1) \_\_\_\_\_  
(Name of party)

\_\_\_\_\_  
(Address)

(2) \_\_\_\_\_  
(Name of party)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Signature of appellant

\_\_\_\_\_  
Date of signature

Subscribed and sworn to  
before me this \_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_.

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Judge, notary or other officer  
authorized to administer oaths

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Official title

#### **USE NOTE**

1. A copy of this notice of appeal must be filed with the court from which this appeal is being taken after it has been endorsed by the district court.
2. A copy of the judgment or final order appealed from, showing the date of the judgment or final order, shall be attached to this notice of appeal at the time it is filed in the district court.

[As amended, effective May 1, 1986, October 1, 1991; January 1, 1995; January 1, 1997.]